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16 **UNITED STATES DISTRICT COURT**  
17 **NORTHERN DISTRICT OF CALIFORNIA**

18 Brandon Hodges, for himself, and all  
19 others similarly situated,

20 Plaintiff,  
21 vs.

22 Comcast Cable Communications, LLC, a  
23 Delaware limited liability company; and  
Does 1-50, inclusive,

24 Defendants

25 Case No. 4:18-cv-01829-HSG

26 Hon. Haywood S. Gilliam, Jr.

27 **JOINT REPORT REGARDING STATUS OF**  
**APPEALS**

1 Plaintiff Brandon Hodges and Defendant Comcast Cable Communications, LLC  
2 (“Comcast”) submit this joint report pursuant to the Court’s September 24, 2019 Order  
3 Continuing the Hearing on Comcast’s Motion to Stay Pending Appeal (Dkt. No. 69).

4 The Petition for Panel Rehearing and Rehearing En Banc (“Petition for Rehearing”),  
5 which Comcast filed in the Ninth Circuit on August 9, 2019 in *Tillage v. Comcast Corp.*, No. 18-  
6 15288 (Dkt. No. 60) has not yet resolved. Plaintiffs-Appellees filed a response to Comcast’s  
7 Petition for Rehearing on September 30, 2019. (Dkt. No. 66). On October 8, 2019, Comcast filed  
8 a motion to file a reply brief in support of the Petition for Rehearing (Dkt. No. 67), which was  
9 granted on October 15, 2019 (Dkt. No. 68).

10 In Comcast’s appeal in this action, Comcast filed its opening brief on November 4, 2019  
11 (Dkt. No. 14), Mr. Hodges filed his answering brief on December 10, 2019 (Dkt. No. 21), and  
12 Comcast’s reply brief is due December 31, 2019.

13 Respectfully submitted,

14 AKIN GUMP STRAUSS HAUER & FELD,  
15 LLP

16 Dated: December 23, 2019

17 BY: /s/ Michael J. Stortz

18 Michael J. Stortz  
Attorneys for Defendant Comcast Cable  
Communications, LLC

19 GALLO LLP  
20 CARNEY, BATES & PULLIAM, PLLC

21 Dated: December 23, 2019

22 BY: /s/ Dominic Valerian

23 Dominic Valerian  
24 Attorneys for Plaintiff Brandon Hodges

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ATTESTATION

I, Dominic Valerian, the ECF User whose ID and password are being used to file this Joint Report Regarding Status of Appeals in compliance with Civil L.R. 5-1(i)(3), hereby attest that counsel for Comcast Cable Communications, LLC has concurred with this filing.

Dated: December 23, 2019

GALLO LLP  
CARNEY, BATES & PULLIAM, PLLC

BY: /s/ Dominic Valerian  
Dominic Valerian  
Attorneys for Plaintiff Brandon Hodges